

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

TRIGINAL JACKSON,

Petitioner,

v.

No. 12-cv-0543 LH/SMV

**N.M. DEP'T OF CORR. PROB. & PAROLE;
N.M. ATTORNEY GEN.;**

Respondents.

ORDER TO ANSWER

The Court, entertaining this habeas corpus proceeding *in forma pauperis* pursuant to 28 U.S.C. § 2254 and 28 U.S.C. § 1915, *see* 28 U.S.C. § 2254 R.4, and the Court, having determined that the petition may not be subject to summary dismissal, will order Respondents to answer.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Clerk is directed to forward copies of this Order and the petition to Respondents.

IT IS FURTHER ORDERED that Respondents shall answer the petition within thirty (30) days from entry of this Order. Respondent's answer shall advise, but not be limited to, whether the Petitioner has exhausted his state court remedies as to the issues raised in the federal application. In each case, Respondents shall attach to their answer a copy of any pleading pertinent to the issue of exhaustion that was filed by Petitioner in the sentencing court, the state district court, the state court of appeals, and the state supreme court, together with copies of all memoranda filed by both parties in support of or in response to those pleadings. Respondents shall also attach to the answer copies of all state court findings and conclusions, docketing statements, and opinions issued in

Petitioner's state court post-conviction or appellate proceedings. In the event that Respondents deny exhaustion, Respondents shall identify the State procedures currently available to Petitioner given the nature of Petitioner's claims and their procedural history.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'S. Vidmar', is written over a horizontal line.

STEPHAN M. VIDMAR
United States Magistrate Judge